

Express Mail No.: EV 918281164 US

PATENT
23937-78

IN THE DRAWINGS:

Applicant respectfully requests approval of the following drawing changes. Applicant hereby submits a Replacement Sheet incorporating amendments to Figures 3D and 3E. No new matter has been added.

REMARKS

The Office Action mailed April 23, 2007 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 19 and 21-38 are now pending in this application. Claims 19-23 stand rejected. Claim 20 has been canceled. Claims 24-38 are withdrawn from consideration.

Applicant notes the objection to the amendment filed on January 17, 2007 under 35 U.S.C. § 132(a) as introducing new matter into the disclosure. The Examiner alleges that the Figures 3D and 3E appear to be in conflict with the species of Figures 3A-3C. More specifically, the Examiner alleges that Figures 3A-3C show “four sheets, 20, 22, top of enclosure bag and bottom of enclosure bag, while the new figures only show three sheets.”

By the above amendment, Applicant has amended Figures 3D and 3E to be consistent with the species of Figures 3A-3C. Applicant submits that the above amendment overcomes the objection and notification to that effect is respectfully solicited.

Applicant notes the objection to the specification at paragraph [0002]. The specification was amended at paragraph [0002] in the Amendment dated February 3, 2006. Applicant respectfully submits that the previous amendment overcomes the present objection to the specification and notification to that effect is respectfully solicited.

Applicant notes the objection to the Abstract. Applicant submits that the above amendment overcomes the objection to the Abstract and notification to that effect is respectfully solicited.

Applicant notes the objection to the drawings under 37 CFR 1.83(a) for failing to show every feature of the invention specified in the claims. Applicant submits that the above amendment overcomes the objection to the drawings and notification to that effect is respectfully solicited.

The rejection of Claims 20-23 under 35 U.S.C. § 112, first paragraph, is respectfully traversed.

The Examiner alleges that the claims contain subject matter which is not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention. More specifically, the Examiner alleges that “[i]t is not clear what kind of connecting structures, at what location, are used to accomplish the desired results of claims 20-24.”

Applicant submits that the above amendment overcomes the rejection of Claims 20-23. Accordingly, Applicant respectfully requests that the Section 112, first paragraph, rejection of Claims 20-23 be withdrawn.

The rejection of Claims 20-23 under 35 U.S.C. § 112, second paragraph, is respectfully traversed.

The Examiner alleges that the claims are indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. More specifically, the Examiner alleges that “[i]t is simply not clear what are the structural elements of the claims, that accomplish the desired results.”

Applicant submits that the above amendment overcomes the rejection of Claims 20-23. Accordingly, Applicant respectfully requests that the Section 112, second paragraph, rejection of Claims 20-23 be withdrawn.

The rejection of Claim 19 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,640,725 to Ando et al. (hereinafter referred to as “Ando”) or U.S. Patent No. 4,862,533 to Adams, III (hereinafter referred to as “Adams”) is respectfully traversed.

Ando describes a sleeping bag having a mattress portion (1a) and a coverlet portion (1b). An air mattress (2) is inserted into the mattress portion through an opening (1d). Although Ando describes that the opening can be closed by a slide fastener or a flat fastener, Ando does not describe a fastener releasably fastening the air mattress to an enclosure bag.

Claim 19 recites a sleeping structure including “a sleeping bag comprising: a top layer having a top layer opening edge and a top layer sealed edge; and a bottom layer having a bottom layer opening edge and a bottom layer sealed edge; a first fastener releasably fastening said top layer opening edge and said bottom layer opening edge at a first attachment site; an enclosure bag coupled to said bottom layer and defining a mouth; an air mattress having a perimeter and including an inflatable portion, said air mattress removably inserted into said mouth; and a second fastener releasably fastening said perimeter to said enclosure bag.”

Ando does not describe or suggest a sleeping structure, as recited in Claim 19. More specifically, Ando does not describe or suggest: (1) an enclosure bag coupled to said bottom layer and defining a mouth; (2) an air mattress having a perimeter and including an inflatable portion, said air mattress removably inserted into said mouth; or (3) a second fastener releasably fastening said perimeter to said enclosure bag, as required by Applicant’s claimed invention. Rather, in contrast to the present invention, Ando merely describes a sleeping bag having a mattress portion and a coverlet portion, and an air mattress inserted into the mattress portion.

Accordingly, for at least the reasons set forth above, Claim 19 is submitted to be patentable over Ando.

Adams describes a sleeping bag (10) including a bottom layer (12) and an intermediate layer (14) secured or integrally bound to the bottom layer to form a pocket (16). An inflatable air mattress (20) is removably disposed within the pocket. A top layer (34) is coupled to the intermediate layer to form a second pocket (30) within which a user lies.

Claim 19 is recited above.

Adams does not describe or suggest sleeping structure, as recited in Claim 19. More specifically, Adams does not describe or suggest: (1) an enclosure bag coupled to said bottom layer and defining a mouth; (2) an air mattress having a perimeter and including an inflatable portion, said air mattress removably inserted into said mouth; or (3) a second

fastener releasably fastening said perimeter to said enclosure bag. Rather, in contrast to the present invention, Adams merely describes a sleeping bag including a bottom layer and an intermediate layer secured to the bottom layer to form a pocket, and an inflatable air mattress removably disposed within the pocket.

Accordingly, for at least the reasons set forth above, Claim 19 is submitted to be patentable over Adams.

For at least the reasons set forth above, Applicant respectfully requests that the Section 102 rejection of Claim 19 be withdrawn.

The rejection of Claims 20-23 under 35 U.S.C. § 103(a) as being unpatentable over Ando and Adams in view of U.S. Patent No. 5,471,687 to Vierra (hereinafter referred to as "Vierra") is respectfully traversed.

Ando and Adams are described above. Vierra describes a sleeping bag having a lower envelope (22) coupled to a lower insulating web (18). An air mattress (28) is removably positioned between the lower insulating web and the lower envelope.

None of Ando, Adams and Vierra, considered alone or in combination, describes or suggests the sleeping structure, as recited in Claim 19. More specifically, none of Ando, Adams and Vierra, considered alone or in combination, describes or suggest: (1) an enclosure bag coupled to said bottom layer and defining a mouth; (2) an air mattress having a perimeter and including an inflatable portion, said air mattress removably inserted into said mouth; or (3) a second fastener releasably fastening said perimeter to said enclosure bag. Rather, in contrast to the present invention, Ando merely describes a sleeping bag having a mattress portion and a coverlet portion, and an air mattress inserted into the mattress portion, Adams merely describes a sleeping bag including a bottom layer and an intermediate layer secured to the bottom layer to form a pocket, and an inflatable air mattress removably disposed within the pocket, and Vierra merely describes an air mattress removably positioned between a lower insulating web and a lower envelope of a sleeping bag.

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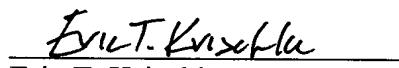
Accordingly, for at least the reasons set forth above, Claim 19 is submitted to be patentable over Ando and Adams in view of Vierra.

Claim 20 has been canceled. Claims 21-23 depend, directly or indirectly, from independent Claim 19. When the recitations of Claims 21-23 are considered in combination with the recitations of Claim 19, Applicant submits that dependent Claims 21-23 likewise are patentable over Ando and Adams in view of Vierra.

For at least the reasons set forth above, Applicant respectfully requests that the Section 103 rejection of Claims 20-23 be withdrawn.

In view of the foregoing amendment and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully submitted,


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